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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Fernando Oliveira, et al.	:	
Serial No.:	10/802,489	:	Examiner: Not Yet Assigned
Filed:	March 16, 2004	:	Art Unit: 2186
For:	CONTINUOUS DATA BACKUP USING DISTRIBUTED JOURNALING	:	Atty. Docket: EMS-07301

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I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28<sup>th</sup> day of June, 2004.

  
Name: Tracey Newell

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant and/or their attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the documents are also being submitted.

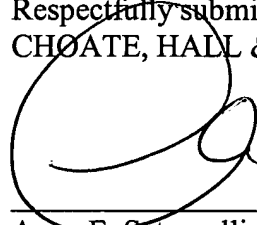
In accordance with 37 C.F.R. 1.97(b)(4), Applicant believes that no fee is due since this Information Disclosure Statement (IDS) is submitted before the mailing of the first Office Action.

The Examiner is respectfully requested to initial the space adjacent to each document on the PTO-1449 form and return a copy of the PTO-1449 form to confirm that these documents have been considered by the Examiner and made of record in this application.

Although we believe that we have appropriately provided for any fees due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Account No. 03-1721**. Two originally-executed copies of this form are being submitted.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 248-4042.

Respectfully submitted,  
CHOATE, HALL & STEWART



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Anne E. Saturnelli, Reg. No. 41,290

Patent Group  
CHOATE, HALL & STEWART  
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Tel: (617) 248-5000  
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Date: June 28, 2004

Customer Number 26339

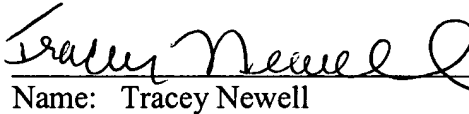


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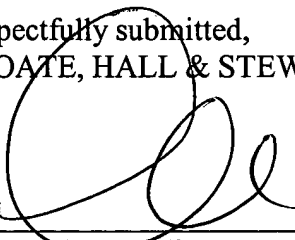
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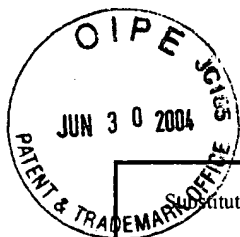
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/802,489	
			Filing Date	March 16, 2004	
			First Named Inventor	Fernando Oliveira, et al.	
			Art Unit	2186	
Examiner Name	Not Yet Assigned				
Sheet	1	of	2	Attorney Docket Number	EMS-07301

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,206,939	Apr. 27, 1993	Moshe Yanai, et al.	
		US-5,778,394	July 7, 1998	Sharon Galtzur, et al.	
		US-5,845,147	Dec. 1, 1998	Natan Vishlitzky, et al.	
		US-5,857,208	Jan. 5, 1999	Yuval Ofek	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3.) <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/802,489
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				Art Unit	2186
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	EMS-07301

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AA	U.S. Patent Application No. 09/608,521 filed on June 30, 2000, titled Method and Apparatus for Implementing High-Performance, Scaleable Data Processing and Storage Systems by RAJU C. BOPARDIKAR, et al.	<input type="checkbox"/>
	AB	Title: Brocade API for FAIS Consideration by EDWARD MCCLANAHAN from Brocade Communications Systems, Inc.	<input type="checkbox"/>
	AC	Title: Cisco/Andiamo Contribution to T11.5 FAIS by SILVANO GAI and CLAUDIO DESANTI dated June 23, 2003	<input type="checkbox"/>
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